



Cincinnati Police Department

STAFF NOTES

September 5, 2006

Colonel Thomas H. Streicher, Jr., Police Chief

I N S I D E

Planning Section

- [New Procedure 18.103, Communication with People Who Are Deaf or Hard of Hearing and Use of Foreign Language Interpreters](#)
- [Revision to Procedure 12.400, Incident Reporting, Miscellaneous Reporting](#)

Internal Investigations Section

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1. NEW PROCEDURE 18.103, COMMUNICATION WITH PEOPLE WHO ARE DEAF OR HARD OF HEARING AND USE OF FOREIGN LANGUAGE INTERPRETERS

Procedure 18.103, Communication with People Who Are Deaf or Hard of Hearing and Use of Foreign Language Interpreters, has been created to instruct Department personnel in the use of interpreters for individuals who are deaf, hard of hearing, or speak a foreign language. Additionally, attached to these Staff Notes are the following related documents:

- “Cincinnati Police Department Policy Statement Regarding Effective Communication with People Who Are Deaf or Hard of Hearing”
- “Guide for Law Enforcement Officers When in Contact with People Who Are Deaf or Hard of Hearing”
- Training Bulletin #2006-03: “Communication with Deaf/Hard of Hearing”

This new procedure is effective immediately. A copy of the “Cincinnati Police Department **Policy Statement** Regarding Effective Communication with People Who Are Deaf or Hard of Hearing” must be posted in the lobby of the five police districts. Personnel should review the procedure and the [attached](#) documents in their entirety. The new procedure is available on the Intranet and on the Department web page.

2. REVISION TO PROCEDURE 12.400, INCIDENT REPORTING, MISCELLANEOUS REPORTING

Procedure 12.400, Incident Reporting, Miscellaneous Reporting, has been revised.

A sentence has been added to section E.2. permitting police personnel to access investigative files at the discretion of the affected district/section/unit commander.

This revision is effective immediately. Personnel should review the procedure in its entirety. The revised procedure is available on the Intranet and on the Department web page.

3. UNFOUNDED POLICE OFFICER MISCONDUCT

On February 25, 2006, Mr. Robert Obrecht filed a complaint accusing Police Officers Robin Elliot and Toni Lutz of using excessive force during his arrest.

Internal Investigations Section reviewed the evidence, particularly the mobile video recording in the officers’ police car, and determined Mr. Obrecht’s allegation was false. Mr. Obrecht was then charged with Making False Allegation of Peace Officer Misconduct (ORC 2921.15). Mr. Obrecht was convicted and sentenced to 90 days in the Hamilton County Justice Center.

4. CLANDESTINELY PRODUCED FENTANYL

Due to increased officer contact with Fentanyl and the large quantity of the drug being taken off the streets, this Staff Note from June 27, 2006, is being repeated.

Fentanyl is a white, powdery, synthetic opiate that is 50 times more potent than heroin. Fentanyl is both clandestinely and pharmaceutically produced and has been linked to hundreds of overdoses across the Midwest, Northeast, and Mid-Atlantic regions. Abusers have been known to mix Fentanyl with heroin and ecstasy.

Officers coming into contact with a substance they believe to be Fentanyl, or an individual that has clearly overdosed from Fentanyl, should immediately contact a supervisor from the Central Vice Control Section. The Hamilton County Coroner's Lab has advised that specialized forensic laboratory testing is required to detect clandestinely produced Fentanyl versus pharmaceutical Fentanyl.

[Attached](#) to these Staff Notes is sensitive intelligence information from the U.S. Department of Justice regarding Fentanyl. This information is not to be released to the general public.

5. NORTHWESTERN UNIVERSITY CENTER FOR PUBLIC SAFETY

The Northwestern University Center for Public Safety is hosting a School of Police Staff and Command (SPSC). It is a scheduled 10-week police management program for police supervisors. The program is being held at the Ohio State Highway Patrol Training Academy in Columbus, Ohio.

Classes are scheduled to begin January 2, 2007, with an ending date of March 23, 2007. There is a two week break from February 3 to February 18. The curriculum will include: Understanding Management, Law Enforcement, Human Resource Administration, and Skills for Planning and Analysis.

The cost for this course is \$995.00 with room and board provided at the Academy. All supervisors completing the program will receive 21 undergraduate semester hours from Northwestern University.

This class is limited to lieutenants and above. Those interested should submit requests, through the chain of command, to Captain Paul F. Broxterman, Jr., Training Section Commander, immediately as the deadline to register is September 08, 2006.

See [attachment](#) for additional details and registration information.

6. THANK YOU LETTERS

[Attached](#) to these Staff Notes are several letters of appreciation and praise written to the Police Chief for the professionalism displayed by our Department and specifically the following officers:

Police Officer Adrian Mitchell
Police Officer Charles Zopfi

Police Officer Alvin Triggs
Police Officer Wiley Ross

PERSONNEL BULLETIN #36

POLICE DEPARTMENT PERSONNEL CHANGES

NO PERSONNEL CHANGES

ASSIGNMENT AVAILABILITIES

SWORN

<u>POSITION</u>	<u>RANK</u>	<u>SUPERVISOR</u>	<u>EXPIRES</u>
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None

NONSWORN

<u>POSITION</u>	<u>RANK</u>	<u>SUPERVISOR</u>	<u>EXPIRES</u>
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None

18.103 COMMUNICATION WITH PEOPLE WHO ARE DEAF OR HARD OF HEARING AND USE OF FOREIGN LANGUAGE INTERPRETERS

Reference:

Procedure 18.104 – Civilian Volunteers

Title II of the Americans with Disabilities Act of 1990

CPD Policy Statement Regarding Effective Communication with People Who Are Deaf or Hard of Hearing

Cincinnati Police Department Training Bulletin - #2006-03

Purpose:

To provide officers with the resources for effectively communicating with citizens who are deaf or hard of hearing, or who have speech impairments.

Policy:

Officers encountering any individuals who are deaf or hard of hearing will take all appropriate steps to ensure they communicate effectively with these individuals. The input of people who are deaf or hard of hearing is just as important to the law enforcement process as the input of others. Officers will not draw conclusions about incidents unless they fully understand, and are understood by, all those involved.

In situations when a non-disabled person would have access to a telephone, officers must provide a person who is deaf or hard of hearing the opportunity to place calls using a text telephone (TTY), telecommunications device for the deaf (TDD), or a phone with volume control if that will be effective for the caller. Officers must also accept telephone calls placed by a person who is deaf or hard of hearing through the Telecommunications Relay Service. The Telecommunications Relay Service is an operator based service that a hearing impaired person may use to contact a person or business not equipped with TTY/TDD technology.

Officers will give primary consideration to the type of communication aid requested by the person who is deaf or hard of hearing unless there is an equally effective means of communication available.

Information:

Police Communications Section (PCS) has installed Superprint 4425 Teletypewriters (TTYs or TDDs) in each of the five police districts, Criminal Investigation Section, and the PCS back-up site located at the Spinney Complex. Department personnel have been trained on the proper use of these

machines to communicate with the hearing impaired. PCS is responsible for the annual inventory and inspection of the equipment. PCS will provide ongoing and additional training on the use of the machines when requested. Calls from the hearing impaired may come directly to the TTY/TDD line number, or to the district/CIS desk line number.

There are several ways of communicating effectively with people who are deaf or hard of hearing. In some instances, a qualified sign language or oral interpreter is required to assist with communication. In other circumstances, use of gestures or visual aids to supplement speech, an exchange of written notes, use of computer or typewriter, or the use of assistive listening devices (to amplify sound for people who are hard of hearing) will be effective. The type of aid that will be required for effective communication will depend on the individual's usual method of communication, and the nature, importance, and duration of the communication at issue.

The Department utilizes the services of the Cincinnati Speech and Hearing Center for qualified sign language and oral interpreter services for people who are deaf or hard of hearing. When there is a request for a sign language or oral interpreter, officers and other personnel must contact a PCS supervisor, who is responsible for contacting the center to request interpreter services to assist the officer in the field. Sign language and oral interpreters will be made available 24 hours a day, 7 days a week.

"Oral interpreters" are not foreign language interpreters; they usually facilitate communication with people who were deafened later in life and do not use sign language.

The "Latino Beeper" is a project involving Spanish speaking volunteers, trained by the Department, who assist officers in basic translation. The volunteers are trained to gather facts at an officer's initial response to a call for service. The "Latino Beeper" will be used only for victims and witnesses, not suspects.

Procedure:

- A. Recognizing and Accepting Calls from a TTY/TDD Machine
 1. When a hearing impaired person using a TTY/TDD dials a district or the CIS desk line number, the call may be recognized by:
 - a. A warbling or chirping sound when the caller presses the space bar.
 - b. The caller ID indicating the caller is deaf.

- c. A voice activated TTY/TDD announcer indicating the caller is using a TTY or TDD machine.
 - d. Silence – any silent call should be treated as a potential TTY/TDD call.
 - 2. When the call is a TTY or TDD call, the recipient must transfer the call to the TTY/TDD machine in the following manner:
 - a. Transfer the call from the desk line number to the TTY/TDD line number using the same process as any call being transferred.
 - b. Keep background noise to a minimum. The TTY/TDD machine may interpret background noise as communication and distort the message.
 - c. Turn on the TTY/TDD machine.
 - d. Hit the control key and the number “4”. This sends a greeting specific to the receiving location.
 - e. Handle the call using the TTY/TDD keyboard.
 - f. Obtain the caller’s location, TTY/TDD callback number, and name. If the call is an emergency, do not attempt to transfer the call to PCS. Relay the information via the radio or call the PCS supervisor at line 263-8119 for further instructions.
 - g. Once the call is complete, turn off the TTY/TDD machine.
 - 3. When a hearing impaired person using a TTY/TDD dials the direct TTY/TDD line number, the “ring” light on the machine will flash to indicate an incoming call. Turn the TTY/TDD machine on and follow the same procedure as outlined above.
- B. Sign Language and Oral Interpreters for People who are Deaf or Hard of Hearing.
- 1. If an officer has reason to believe that an individual with whom he is attempting to communicate has a hearing impairment, the officer will:
 - a. Determine whether the individual has a hearing impairment.
 - b. Notify the individual through the use of auxiliary aids (pen and paper) that a qualified sign language or oral interpreter will be provided at no charge, if desired.

- 1) If the individual requests a qualified sign language interpreter, determine whether the individual uses American Sign Language (ASL) or Signed English (SE) to communicate and relay the information to PCS.
 - 2) Face the deaf or hard of hearing individual and do not turn away while speaking. The officer should not cover his or her mouth while talking to the individual. Only one person should speak at a time and it may be necessary to speak more slowly.
- c. An officer will remove handcuffs from a non-violent arrestee who is deaf or hearing impaired, or will secure the arrestee in such a manner which permits communication, as safely as possible, after arrival at a secure facility. Officer safety and the safety of citizens must take precedence.
- 1) The immediate priority in any emergency is for the officer to stabilize the situation. If the deaf person is in immediate danger, exhibiting violent behavior, or if the officer has probable cause to make an arrest, the officer can request an interpreter respond to the location to which the subject is being transported.
 - 2) Officers should refrain from using family members or friends of the deaf individual, unless it is urgent to communicate immediately and that is the only option. However, if the deaf person requests that arrangement, the other person agrees, and the circumstances suggest that the relationship is not coercive or otherwise inappropriate, the officer may proceed.

C. Foreign Language Interpreters

1. When an officer comes in contact with an individual in need of a foreign language interpreter, notify PCS of the location and the need for an interpreter. PCS maintains a list of foreign language interpreters.
 - a. PCS will attempt to locate an on-duty officer fluent in the necessary language before contacting a person not employed by the Department.
2. When an officer is unable to communicate with a Spanish speaking victim or witness, the officer will request PCS to activate the "Latino Beeper".

CINCINNATI POLICE DEPARTMENT
POLICY STATEMENT REGARDING
EFFECTIVE COMMUNICATION WITH
PEOPLE WHO ARE DEAF OR HARD OF HEARING

OVERVIEW

It is the policy of this law enforcement agency, the Cincinnati Police Department, to ensure that a consistently high level of service is provided to all community members, including those who are deaf or hard of hearing. This Agency has specific legal obligations under the Americans with Disabilities Act and the Rehabilitation Act. To carry out these policies and legal obligations, the Agency instructs its officers and employees (hereinafter, “officers”)¹ as follows:

- People who identify themselves as deaf or hard of hearing are entitled to a level of service equivalent to that provided hearing persons.
- The Agency will make every effort to ensure that its officers and employees communicate effectively with people who have identified themselves as deaf or hard of hearing.
- Effective communication with a person who is deaf or hard of hearing involved in an incident -- whether as a victim, witness, suspect, or arrestee -- is essential in ascertaining what actually occurred, the urgency of the matter, and type of situation.
- Various types of communication aids – known as “auxiliary aids and services” – are used to communicate with people who are deaf or hard of hearing. These include use of gestures or visual aids to supplement oral communication; an exchange of written notes; use of a computer or typewriter; use of assistive listening devices (to amplify sound for persons who are hard of hearing); or use of qualified oral or sign language interpreters.
- The type of aid that will be required for effective communication will depend on the individual’s usual method of communication, and the nature, importance, and

¹The reference to “officers” includes all Cincinnati Police Department employees who have responsibility for serving the public.

duration of the communication at issue.

- In many circumstances, oral communication supplemented by gestures and visual aids, an exchange of written notes, use of a computer or typewriter, or use of an assistive listening device may be effective. In other circumstances, qualified sign language or oral interpreters are needed to communicate effectively with persons who are deaf or hard of hearing. The more lengthy, complex, and important the communication, the more likely it is that a qualified interpreter will be required for effective communication with a person whose primary means of communication is sign language or speech reading. For example:
 - If there has been an incident and the officer is conducting witness interviews, a qualified sign language interpreter may be required to communicate effectively with someone whose primary means of communication is sign language.
 - If a person is asking an officer for directions to a location, gestures and an exchange of written notes will likely be sufficient to communicate effectively and a sign language interpreter is often not required.
- To serve each individual effectively, primary consideration should be given to the communication aid or service that works best for that person. Officers must ask persons who are deaf or hard of hearing what type of auxiliary aid or service they need. Officers must defer to those expressed choices, unless there is another equally effective way of communicating, given the circumstances, length, complexity, and importance of the communication, as well as the communication skills of the person who is deaf or hard of hearing.
- The Agency is not required to provide a particular auxiliary aid or service if doing so would fundamentally alter the nature of the law enforcement activity in question, or if it would cause an undue administrative or financial burden. Only the Agency head or his or her designee may make this determination. For example:
 - If the Agency has limited financial resources and providing a particular auxiliary aid would cost a large sum of money, the Agency head may determine that it would be an undue financial burden (note: the Agency's budget as a whole must be considered). In this situation, the most effective means of communication that does not involve an undue burden must be used.
- The input of people who are deaf or hard of hearing who are involved in incidents

is just as important to the law enforcement process as the input of others. Officers must not draw conclusions about incidents unless they fully understand -- and are understood by -- all those involved, including persons who are deaf or hard of hearing.

- People who are deaf or hard of hearing must never be charged for the cost of an auxiliary aid or service needed for effective communication.

ON-CALL INTERPRETIVE SERVICES

- The Agency will maintain a list of sign language and oral interpreting services that are available (on-call 24 hours per day) and willing to provide qualified interpreters as needed. Each of these services will be chosen after having been screened for the quality and skill of its interpreters, its reliability, and other factors such as cost. The Agency will update this list annually.
- A qualified sign language or oral interpreter is one who is able to interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary. Accordingly, an interpreter must be able to sign to the deaf individual (or interpret orally to the person who does not use sign language) what is being said by the hearing person and to voice to the hearing person what is being signed or said by the deaf individual. The interpreter must be able to interpret in the language the deaf person uses (e.g., American Sign Language or Signed English) and must be familiar with law enforcement terms and phrases. Because a qualified interpreter must be able to interpret impartially, a family member, child, or friend of the individual who is deaf may not be qualified to render the necessary interpretation because of factors such as professional, emotional, or personal involvement, or considerations of confidentiality. Additionally, although a “qualified” interpreter may be certified, a certified interpreter is not necessarily “qualified,” if he or she is not a good communications match for the deaf person (e.g., where the deaf person uses Signed English and the interpreter uses American Sign Language) or the situation (e.g., where the interpreter is unfamiliar with law enforcement vocabulary). Certification is not required in order for an interpreter to be “qualified.”

TTY AND RELAY SERVICES

- In situations when a nondisabled person would have access to a telephone, officers must provide persons who are deaf or hard of hearing the opportunity to place calls using a text telephone (TTY, also known as a telecommunications device for deaf people, or TDD). Officers must also accept telephone calls placed

by persons who are deaf or hard of hearing through the Telecommunications Relay Service.

TECHNIQUES FOR OFFICERS TO COMMUNICATE EFFECTIVELY

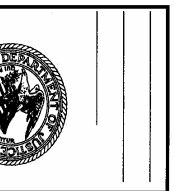
- Officers must review and have a working knowledge of *Guide for Law Enforcement Officers When In Contact With People Who Are Deaf or Hard of Hearing*. This document reviews how officers should communicate effectively in the types of situations officers will encounter. These situations include:
 - Issuing a noncriminal or motor vehicle citation.
 - Communicating with a person who initiates contact with an officer.
 - Interviewing a victim or critical witness to an incident.
 - Questioning a person who is a suspect in a crime.
 - Making an arrest or taking a person into custody.
 - Issuing *Miranda Warnings* to a person under arrest or in custody.
 - Interrogating a person under arrest or in custody.

TYPES OF AUXILIARY AIDS AND SERVICES

- Officers must utilize the following auxiliary aids, when available, to communicate effectively:
 - Use of gestures
 - Use of visual aids
 - Exchange of written notes
 - Use of computers or typewriters
 - Use of assistive listening devices
 - Use of teletypewriters (TTY's)
 - Use of qualified oral or sign language interpreters

GUIDE FOR LAW ENFORCEMENT OFFICERS

When In Contact With People Who Are Deaf or Hard of Hearing



As a law enforcement officer, you can expect to come into contact with people who are deaf or hard of hearing.

Title II of the Americans with Disabilities Act (ADA) of 1990 prohibits State and local government from discriminating against an individual with a disability. Municipal and State police and county sheriff departments are bound by this Federal law. Your office has adopted a more detailed policy regarding law enforcement officers' communication with people who are deaf or hard of hearing. You should become familiar with this policy.

What does title II require of you when interacting with persons who are deaf or hard of hearing? Among other things, your communication with such an individual must be as effective as your communication with hearing people.

How do you communicate? Provide aids or services as necessary to ensure that the deaf or hard of hearing individual understands what you are saying and that you understand him or her. These can include:

- use of qualified sign language or oral interpreters
- for people who are hard of hearing, speaking loudly and clearly, and use of assistive listening devices (to amplify

- sound)
- use of gestures or visual aids to supplement oral communication
- an exchange of written notes
- or use of a computer or typewriter.

What method of communication should you use? The law requires you to give primary consideration to the individual's preference. Ask how the person wishes to communicate.

For example, some people who are deaf do not use sign language and may need to use a different aid or rely on lipreading. In one-on-one communication with an individual who lip reads, an officer should face the individual directly, and should ensure that the communication takes place in a well-lighted area.

Honor the individual's choice unless it would significantly interfere with your law enforcement responsibilities or you are confident that other means of communicating, that may be easier to provide, are just as effective. Remember that deaf or hard of hearing persons must be able to understand you as well as those who do not have hearing impairments.

DO NOT ask a family member or friend to interpret for a deaf individual unless it is urgent to communicate immediately and that is the only option. If the deaf person requests that arrangement and the other person agrees, however, you can proceed.

How do you know when you are communicating clearly to an individual who is deaf or hard of hearing? Ask the person to summarize what you are saying. Test his or her understanding.

If the person uses sign language, what kinds of communication require an interpreter? Consider the length, importance, and complexity of the communication, as well as the context.

– In a simple encounter, such as checking a driver's license or giving directions, a notepad and pencil or perhaps gestures will normally be sufficient.

– During interrogations and arrests, a sign language interpreter will often be necessary.

– If the legality of a conversation will be questioned in court, such as where *Miranda* warnings are issued, a sign language interpreter may be necessary. You should be careful about misunderstandings in the absence of a qualified interpreter. A nod of the head may be an attempt to appear cooperative in the midst of misunderstanding, rather than consent or a confession of wrongdoing.

– In general, if an individual who does not have a hearing disability would be subject to police action without interrogation, then an interpreter will not be required, unless one is necessary to explain the action being taken.

Example: An officer clocks a car on the highway driving 15 miles above the speed limit. The driver, who is deaf, is pulled over and issued a noncriminal citation. The individual is able to understand the reasons for the citation, because the officer exchanges notes and points to information on the citation. A sign language interpreter is not needed.

Example: An officer responds to an aggravated battery call and upon arriving at the scene observes a bleeding victim and an individual holding a weapon. Eyewitnesses observed the individual strike the victim. The individual with the weapon is

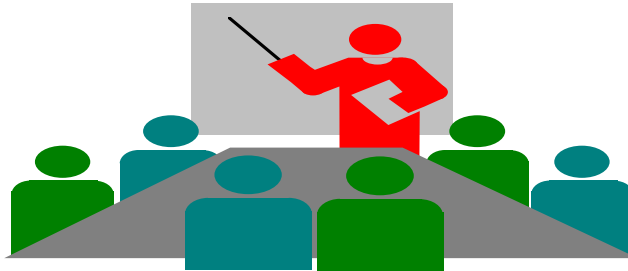
deaf, but the officer has probable cause to make a felony arrest without an interrogation. An interpreter is not necessary to carry out the arrest.

Example: An officer responds to the scene of a domestic disturbance. The husband says the wife has been beating their children and he has been trying to restrain her. The wife, who is deaf, requests an interpreter. The officer begins by exchanging notes but the woman's responses indicate a lack of comprehension and poor grammar. An interpreter is necessary to carry out any arrest. In this situation, it would be inappropriate to use a family member to assist with communication, even if it is offered.

Do you have to take a sign language interpreter to a call about a violent crime in progress or a similar urgent situation involving a person who is deaf? No. An officer's immediate priority is to stabilize the situation. If the person being arrested is deaf, the officer can make an arrest and call for an interpreter to be available later at the booking station.

Contact numbers for your local sign language interpreters:

Cincinnati Police Academy Training Bulletin



COMMUNICATION WITH DEAF/HARD OF HEARING

2006-03

September 2006

Purpose

Why issue this training bulletin?

To ensure all Department personnel understand what to do when in contact with people who are deaf or hard of hearing.

References

Cincinnati Police Procedure Manual

- 18.103 Communication with People Who Are Deaf or Hard of Hearing and Use of Foreign Language Interpreters

Guide for Law Enforcement Officers (Department of Justice)

- When in Contact With People Who Are Deaf or Hard of Hearing

Title II of the Americans with Disabilities Act (ADA)

Information

Title II of the Americans with Disabilities Act (ADA) of 1990 prohibits State and local

government from discriminating against individuals with disabilities. State and local governments must ensure effective communication with individuals with disabilities.

Effective communication with a deaf or hard of hearing individual involved in an incident, whether as a victim, witness, suspect, or arrestee, is essential in ascertaining what actually occurred, the urgency of the matter, and type of situation.

Police Communications Section (PCS) has installed Superprint 44256 teletypewriters in each of the five districts, Criminal Investigations Section, and the PCS back-up site. PCS is responsible for providing training on request for the equipment.

Discussion

What is required of an officer when interacting with persons who are deaf or hard of hearing - how do I communicate?

Communications must be as effective as your communication with hearing people. It must be fair and accurate. Deaf or hard of hearing persons must be able to understand you as well as those who do not have hearing impairments.

Notify the person that a certified sign language interpreter will be provided at no charge if desired. If they request an interpreter, determine whether the person uses American Sign Language or Signed English to communicate and relay the information to PCS.

Various types of communication aids, known as auxiliary aids or services, are used to communicate. These aids can include: the use of gestures or visual aids to supplement oral communication, an exchange of written notes, use of a computer or typewriter, use of assistive listening devices (to amplify sound for persons who are hard of hearing), or use of qualified oral or sign language interpreters.

How will I know what type of aid is effective in communicating?

Give primary consideration to the individual's preference. Ask them how they wish to communicate. It is their choice.

The type of aid used will depend on the individual's usual method of communication, and the nature, importance, and duration of the communication at issue. Many times oral communication supplemented by aids may be effective. In more lengthy or complex circumstances, a qualified interpreter will be required for effective communication.

How do I get help when interacting with a person who is deaf or hard of hearing?

The Department utilizes the services of the

Cincinnati Speech and Hearing Center for interpreter services for the deaf and hard of hearing. Contact PCS, as they are responsible for contacting the center to request interpreter services.

Is it a good idea to use family members as interpreters?

DO NOT ask a family member or friend to interpret, unless it is urgent to communicate, when that is your only option. It is always best to use an interpreter who is independent of the situation, and has no conflict of interest. However, in cases where the individual is the victim of a crime, a person close to the victim may be used as an interpreter.

If the person uses sign language, what kinds of communication require an interpreter?

In a simple encounter, such as checking a driver's license or giving directions, a notepad and pencil or perhaps gestures will normally be sufficient.

During interrogations and arrests, a sign language interpreter will often be necessary. If the legality of a conversation will be questioned in court, a sign language interpreter may be necessary. An example would be reading the Implied Consent Form. It would be necessary for an interpreter to assist and be available for court if necessary.

Be careful about misunderstandings in the absence of a qualified interpreter - a nod of the head may be an attempt to appear cooperative rather than a confession of wrongdoing.

In general, if an individual who does not have a hearing disability would be subject to police action without an interrogation, then an interpreter will not be required, unless one is necessary to explain the action being taken.

How do I know I am clearly communicating with the individual?

Ask the person to summarize what you are saying. Test the person's understanding.

Scenarios

An officer issues a speeding citation to a deaf driver. The driver is able to understand the reason for the citation, because the officer exchanges notes and points to information on the citation. A sign language interpreter is not needed.

An officer responds to an assault. Upon arriving, the officer observes a bleeding victim and a suspect holding a weapon. There are witnesses and the suspect is deaf. The officer had probable cause to make an arrest without an interrogation. No interpreter is needed to carry out the arrest.

An officer responds to the scene of a domestic violence. The wife, who is deaf, is reported by the husband as beating the children. She requests an interpreter. Early attempts at notes show a problem with grammar and comprehension. In this situation, it would be inappropriate to use a family member as an interpreter, even if it is offered.

12.400 INCIDENT REPORTING, MISCELLANEOUS REPORTING

References:

Procedure 12.115 - Handling Wild/Exotic Animals, Pit Bulls, Dangerous/Vicious Dogs, and Animal Bite Reports
 Procedure 12.135 - Reporting False Alarms on a Form 315
 Procedure 12.230 - Fatal Crash Investigation and Placement of Related Charges
 Procedure 12.315 – Investigation of Rape and Other Sexual Assault Offenses
 Procedure 12.403 – Crime Victim/Witness Notification and Assistance
 Procedure 12.405 - Closure of Offense Reports
 Procedure 12.412 – Domestic Violence
 Procedure 12.415 - Reporting and Classifying Assault Offenses
 Procedure 12.420 - Reporting Vehicle Thefts and Related Offenses
 Procedure 12.425 - Reporting and Classifying Breaking and Entering Offenses
 Procedure 12.430 - Endangering Children Offenses
 Procedure 12.615 - Deceased Persons/Prisoners
 Procedure 12.910 - Missing Persons
 Ohio Revised Code – 2901.01 Definitions
 Ohio Revised Code – 5126.058 Memorandum of Understanding
 Ohio Uniform Incident Report Training Manual
 State Ex Rel Beacon Journal Publishing Company v Maurer, Sheriff, 91 OHIO ST.3rd 54 (2001 Ohio)

Definitions:

High Profile Criminal Investigations -

- Critical firearm discharges by police officer(s).
- A police officer uses force against a person who is admitted to a hospital.
- A person fires a shot at a police officer.
- A police officer is killed or seriously injured.
- Any other investigation as identified by the Police Chief.

Incident Reports - Form 301, Incident Report; Form 301VVS, Victim/Vehicle Supplement; Form 301PS, Property Supplement; Form 301AS, Arrest Supplement; Form 303, Motor Vehicle Incident Report; and Form 304, Missing Report.

Confidential Investigative Notes - Form 311G, Confidential Investigative Notes – General; Form 311S, Confidential Investigative Notes – Suspects; Form 311N, Confidential Investigative Notes – Narrative; and Form 311DV, Confidential Investigative Notes – Domestic Violence.

Mentally Retarded Person – A person having significantly subaverage general intellectual functioning existing concurrently with deficiencies in adaptive behavior, manifested during the developmental period.

Developmental Disability - A severe and chronic disability characterized by all of the following:

1. It is attributable to a mental or physical impairment or a combination of mental and physical impairments, other than a mental or physical impairment solely caused by mental illness as defined in division (A) of section 5122.01 of the Revised Code.
2. It is manifested before age twenty-two.
3. It is likely to continue indefinitely.
4. It results in one of the following:
 - a. In the case of a person under three years of age, at least one developmental delay or established risk;
 - b. In the case of a person at least three years of age but under six years of age, at least two developmental delays or an established risk;
 - c. In the case of a person six years of age or older, a substantial functional limitation in at least three of the following areas of major life activity, as appropriate for the person's age: self-care, receptive and expressive language, learning, mobility, self-direction, capacity for independent living, and, if the person is at least sixteen years of age, capacity for economic self-sufficiency.
5. It causes the person to need a combination and sequence of special, interdisciplinary, or other type of care, treatment, or provision of services for an extended period of time that is individually planned and coordinated for the person.

Purpose:

Establish Department guidelines governing the collection and preservation of facts and actions taken in the investigation of crimes and incidents.

Promote uniformity and standardization in reporting.

Policy:

Officers will conduct a preliminary investigation when called to the scene of an offense. They will fairly and impartially record all facts and actions. They will provide the required police service and complete an accurate and thorough report, submitting reports for serious offenses immediately. All other offense reports will be submitted before the completion of the reporting officer's shift.

Supervisors will respond on felony offenses of violence, as defined in section 2901.01 of the Ohio Revised Code, and all sexual assault offenses to ensure a proper preliminary investigation is conducted.

Criminal Investigation Section (CIS) will respond and maintain authority over all High Profile Criminal Investigations. CIS also has authority over any other investigation as directed by the Police Chief. Upon identification of a High Profile Criminal Investigation, a supervisor will contact the CIS desk to initiate their High Profile Criminal Investigation Standard Operating Procedure (SOP). This policy does not preclude the use of other investigative unit personnel.

Officers assigned to investigate cases where the victim is mentally retarded or developmentally disabled must notify the Hamilton County Board of Mental Retardation and Developmental Disabilities (MR/DD) Investigations Unit prior to beginning their investigation. Initial responding officers conducting the preliminary investigation of a criminal offense involving a mentally retarded or developmentally disabled victim must notify the MR/DD Investigations Unit if they are able to make an immediate arrest and successfully close the case, negating the need for it to be assigned to an investigator.

If it is not originally known that a victim is mentally retarded or developmentally disabled and an investigation has already begun, the investigating officer must make the appropriate notification after it is established that the victim suffers from mental retardation or developmental disability. Officers will contact the MR/DD Investigations Unit at (513) 794-3308, 24 hours a day.

Information:

The Police Department is required to conduct joint and cooperative investigations with the Hamilton County Board of MR/DD when the victim of a crime is either mentally retarded or developmentally disabled. The Police Department and the Hamilton County Board of MR/DD are required to share and disclose information during these investigations. The Cincinnati Police Department will assume the lead investigative responsibilities for all such investigations.

Procedure:

A. Reporting Incidents (Completion of Reports)

1. Print all information contained in the report with a blue or black ink, ballpoint pen. Make sure all three copies are legible.
 - a. Spell all names in full: last, first, and middle.
 - b. Business names consist of two names, e.g., Kroger Company.
 - c. Record sex as: M-Male, F-Female, or U-Unknown.
 - d. Race descriptions must be consistent with the following federal requirements and used on all Police Department reports:

- 1) W – White.
 - 2) B – Black.
 - 3) I - American Indian or Alaskan Native.
 - 4) A – Asian.
 - 5) U - Unknown, not described above.
2. Place of occurrence and/or street address must consist of the following:
- a. Street number - if intersection, use number closest to corner, e.g., Vine St. at Third, N.E. corner, use 300 Vine St.
 - b. Street prefix, when applicable: North - N, South - S, East - E, and West – W.
 - c. Street name - printed in full and correctly spelled.
 - d. Street suffix - will consist of one of the following:

STREET DESIGNATOR CODE LIST

DESIGNATOR CODE

Alley	AL	Highway	HW
Avenue	AV	Lane	LN
Boulevard	BV	Park	PK
Bridge	BR	Parkway	PY
Circle	CR	Pike	PI
Court	CT	Place	PL
Drive	DR	Road	RD
Expressway	EX	Square	SQ
Street	ST	Viaduct	VI
Terrace	TE	View	VW
Trail	TL	Way	WY

- e. City
 - f. State
 - g. Zip Code
3. Reporting area
- a. Do not enter a reporting area on any Police Department report. The reporting area is assigned when the location of the offense or incident is entered into the computer.
4. Ohio Revised Code (ORC) section number
- a. Unless designated otherwise, all Department offense reports will reflect the appropriate ORC section number following the type of offense. These section numbers serve as codes to separate ORC statistics.
 - b. The following offenses are exceptions which require further coding. For reporting purposes only, use the additional indicated letters as a suffix to the ORC section number.
 - 1) Patient Abuse - 2903.34PA
 - 2) Gross Patient Neglect - 2903.34GPN
 - 3) Patient Neglect - 2903.34PN
 - 4) Grand Theft - 2913.02G
 - 5) Petty Theft - 2913.02P
 - 6) License Plate Theft - 2913.02L
 - 7) Recovered Stolen License Plate(s) - 2913.02LR
 - 8) Vehicle Theft - 2913.02V
 - 9) Recovered Stolen Vehicle - 2913.02VR
 - 10) Unauthorized Use of a Vehicle - 2913.03V
 - 11) Unauthorized Use of a Vehicle Recovery - 2913.03VR
 - 12) Vehicle Defrauding a Livery or Hostelry - 2913.41V
 - 13) Vehicle Defrauding a Livery or Hostelry Recovery - 2913.41VR
5. Distribution of crime victims pamphlet
- a. When an offense report is made, Department personnel will provide the victim, his family, or dependents one copy of the

"Information for Crime Victims" pamphlet and other information as described in ORC Chapter 2930.

- 1) Refer to Procedure 12.403, Crime Victim/Witness Notification and Assistance, for crime victim notification.

6. Confidential Investigative Notes

- a. Complete a Form 311G for every offense, except station reports and arrests. Record witnesses' names, addresses, and telephone numbers on the form. Also complete Forms 311S, 311N, and 311DV when appropriate.
- b. On offenses involving an individual and/or business requesting the dollar amount taken not be publicized, include the amount on the Form 311G instead of on the Form 301. Use this option sparingly in unusual cases where the complainant is reluctant to reveal the amount taken.
- c. Enter "undetermined amount of US currency" on the Form 301PS, Property Supplement, in the "Property" section.

7. Incomplete reports

- a. Mark reports taken in the field which require information not available at the time of the report "incomplete". The assigned investigator is responsible for completing the original report and executing any additional reports.

B. General Rules for Offense Reporting

1. Number of offense reports

- a. Make a report for each incident.

- 1) An incident is one or more offenses committed by the same offender, or group of offenders acting in concert, at the same time and place, against one or more victims.

The concept of acting in concert provides that the offenders actually commit or assist in the commission of the crime(s). The offenders must be aware of, and consent to, the commission of the crime(s); or even if non-consenting, their actions assist in the commission of the offense(s).

The concept of same time and place provides that if more than one offense was committed by the same person or group of persons and the time and place intervals surrounding them were insignificant, all of the crimes comprise a single incident.

- a) Example: Five persons are robbed at gunpoint. One of the five is fatally shot.

- 1] Prepare a Form 301 with 5 victims.
 - 2] In the "Offense" section, list all offenses committed.
 - 3] Link the offense with victim in "Victim/Offense" link box.
 - 4] Explain in the "Narrative" section the facts of each offense and how it relates to each victim.
- b. A vehicle is stolen during a robbery, burglary, or breaking and entering, refer to Procedure 12.420, Reporting Vehicle Thefts and Related Offenses. This report gets an offense number.
- 1) Prepare a Form 303.
 - 2) List all offenses.
 - 3) Explain in "Narrative" section.
- c. When burglary or breaking and entering offenses occur involving multiple units carrying the same address and at the same time, prepare one Form 301 with the appropriate number of victims.
- d. Report a number of thefts from a single victim, committed at the same place by the same person over an indefinite period, as one offense. List the approximate dates of the first and last known theft.
- e. Report multiple parking meters or newspaper racks broken into in the same vicinity, same street, and about the same time on one offense report, provided the owner and district are all the same. The collator will issue one offense number for each incident.
2. Reporting responsibility
- a. The district of occurrence is responsible for the report. However, if the complainant responds to another district, section, or unit that district, section, or unit will make the report.
- EXCEPTION: Homicide supervisors will complete homicide and high profile criminal offense reports.
- 1) Immediately forward all copies of the report to the district of occurrence. Do not assign an offense number.
 - 2) Notify a supervisor for serious offenses requiring immediate follow-up.
 - a) If the offense occurred in another district, a supervisor from the district where the offense was reported will

notify a supervisor from the district of occurrence for immediate follow-up.

- b) Record the notification in the "Remarks" section of the report.
 - 3) Immediately notify the CIS desk to initiate the High Profile Criminal Investigation SOP when necessary.
- b. Two or more districts involved in a crime or series of crimes.
 - 1) In single or multiple crime situations, the district in which the most serious criminal offense occurs will complete and carry the report.
- c. Criminal acts involving Cincinnati and other jurisdictions
 - 1) The district of occurrence will prepare offense reports for Cincinnati offenses, including details of crimes committed in other jurisdictions.
- d. When the district of occurrence is unknown, but is believed to be within the Cincinnati city limits, use the address of the reporting district and note in the "Remarks" section of the report the location where the offense occurred is unknown.
 - 1) Carry the offense report in the resident district of the complainant.
 - 2) If the complainant is not a Cincinnati resident, carry the report in the district where the offense was reported.
- 3. Use of language on department reports
 - a. Whenever profanity or obscene remarks are used in the commission of an offense, record the actual language on the report.
- 4. Offenses involving City property
 - a. List the complainant as the City department assigned the property.
 - b. If the property belongs to another City entity such as the Board of Education, list the name of the school as the "Complainant".
- 5. Lost property
 - a. If the property can be readily identified by a serial number, complete a Form 301.
 - 1) The use of serial numbers for reporting lost and/or stolen property includes the owner's social security number. The

social security number is entered in the computer as an Owner Applied Number (OAN).

- 2) If not identifiable, complete a Form 317, General Conditions Report.
 - b. If the value of lost property exceeds \$500.00, complete a Form 301.
 - c. Refer to Procedure 12.420 to determine what articles are reported on a Form 301.
6. Property values
- a. A monetary value is not necessary for blank checks, blank driver's licenses, blank auto titles, etc. These are automatically grand thefts.
 - b. Shoplifted items - list the value given by the complainant.
 - c. Use the fair market value of articles, subject to depreciation.
 - d. Use the victim's evaluation of items such as jewelry, watches, and other articles which decrease slightly in value or not at all.
 - e. Use the replacement or actual cost to the victim for new or almost new items, e.g., money orders with cash value but no name, etc.
 - f. List the replacement value given by the complainant of heirlooms, collector's items, antiques, museum pieces, etc.
 - g. The investigating officer will use good judgment and discuss with the complainant any values which appear to be inflated.
7. Unusual occurrences and attempt
- a. Incident reports
 - 1) Prepare a Form 301 to record unusual occurrences, which in the judgment of a supervisor, have no applicable ORC statute. Follow-up investigation may be appropriate.
 - a) In the "Administrative" section of the report, check the "Incident" (non-criminal) block.
 - b. Attempt: 2923.02
 - 1) Prepare a Form 301 to report attempts to commit a violation of any ORC statute listed in this procedure. In the "Offense" section place an "A" (attempt) in the A/C block.

- 2) For reporting purposes, the ORC section number will be for the offense that was attempted. Do not list the attempt section (2923.02) on any offense report.
8. Robbery/burglary of controlled substance from registrant
 - a. The Controlled Substance Registrant Protection Act of 1984 amends Title 18 of the U.S. Code by creating Section 2118:
 - 1) A federal felony has been committed if a pharmacist, physician, drug wholesaler, researcher, or manufacturer is the victim of a robbery or burglary and any of the following elements are present:
 - a) The value of the drugs exceeds \$500.00.
 - b) The crime involves interstate activity.
 - c) A person is killed or seriously injured as a result of the crime.
 - 2) Section 2118 requires local law enforcement to conduct the preliminary investigation and notify the Federal Bureau of Investigation (FBI) if there is a violation of this section.
 - a) The collator of the reporting district will ensure the FBI is notified in these instances.
 - b) In cases of dual federal and state jurisdiction, the FBI will investigate or otherwise assist local law enforcement agencies in the investigation.
 9. Reports requiring further investigation by Criminal Investigation Section (CIS)
 - a. All district supervisors will notify CIS as soon as possible regarding offense reports requiring further investigation by their section.
 - b. Mark in the appropriate block who was notified.

EXCEPTION: If the offense is reported outside the working hours of Personal Crimes Unit (PCU) personnel, the district making the report will notify PCU after 0800 hours the next day. If the shift supervisor determines PCU should immediately respond to the scene, request recall through CIS.
 10. Completing Forms 316 and 317
 - a. The first officer on the scene will complete a Form 316, Minor Accident/Aided Case/Mental Health Response Report, Form

316A, Deceased Person Report, or Form 317, General Conditions Report, when necessary.

- 1) Immediately notify the Homicide Unit if the deceased is either a:
 - a) Suicide or suspected suicide victim.
 - b) Child seven years of age or under.

C. Submission of Completed Reports

1. Do not attach the Form 311, Confidential Investigative Notes, to incident reports. They are to be submitted independently.

D. Supervisor's Responsibility

1. Check each offense report for correctness, legibility, and completeness of information.
2. Sign the report indicating approval.
 - a. The supervisor will forward the report to the district collator for assignment of an offense number.
 - b. Return unapproved reports to the officer for correction or revision.

E. Offense Report Numbers - Processing by the Collator

1. Each district uses a separate block of offense report numbers assigned by the collator.
 - a. Each offense number has a total of 8 numeric and alpha characters. The first character is the district number. The next two numbers are the last two numbers of the current year. The next five numbers are the offense number.
2. The collator will maintain reports in separate files.
 - a. Forms 301, Incident Report, are public record.
 - b. Forms 311, Confidential Investigative Notes, are not public record.
 - c. District/section/unit commanders may, at their discretion, grant police personnel the authority to access investigative files maintained therein.
3. District collators will prepare and send a report to CIS on the first of each month, listing all cases assigned to CIS.
 - a. CIS will return the reports to the district collators with the dispositions or the name of the officer assigned to each case.

F. Additions and Corrections

1. Handle additions or corrections to original offense reports and offense reports returned to units for changes as follows:
 - a. Use the original report number.
 - b. Check the supplement or correction block at top of report.
 - c. Complete the first 3 lines in the "Victim" section.
 - d. Make the necessary corrections or additions.
 - 1) Do not unfound or close the original report and make a new one.
 - e. In the "Report Date/Time" block, print the date the addition or correction is made.
 - 1) If after a given calendar month, the title of the offense on the report is changed, e.g., assault to robbery, make the standard correction and forward it to Records Section.
 - a) Do not unfound or close the original report and make a new report.
 - f. In the "Reporting Officer" block, print the name of the officer making the correction or addition.
 - g. Under "Narrative", clearly state the additions or corrections.

Examples: Correction is to change the name of the complainant from Ed Brown to Charles Smith. Addition is stolen bicycle valued at \$100. Correction is total value changed from \$140 to \$240.
2. The collator will make the necessary computer corrections.

G. Routing Offense and Other Reports

1. District collators will route copies of reports via computer and mail as needed. The following is a list of reports distributed to various sections/units of the Police Department and other city departments:
 - a. Form 301 - general use
 - 1) Original to Records Section (after coding and computer entry).
 - 2) Copy for district files.
 - 3) Copies of all aggravated robbery, robbery of financial institutions, robbery, aggravated burglary, burglary,

breaking and entering, patient abuse, kidnapping, attempt kidnapping, abduction, and attempt abduction sent to CIS via mail.

- 4) Copy of any theft report, including attempts, in which a form of deception was used, e.g., Pigeon Drop, Bank Examiner Scheme, Three Card Monte, etc., sent to CIS via computer terminal and interdepartmental mail.
 - 5) Copy of rapes and all sex related crimes including public indecency, interference with custody, endangering children, unlawful sexual contact with a minor, and child enticement sent to PCU. Report any crime occurring on school grounds, or any offense with a juvenile as the complainant, attempts included, to PCU via computer terminal and interdepartmental mail. Route offense reports of any crimes occurring on school grounds to the Youth Services Unit via interdepartmental mail.
 - 6) Copy of any offense occurring on a liquor permit premise sent to the Central Vice Control Section via computer terminal and interdepartmental mail.
 - 7) When the words "drug" or "narcotic" appear on an offense report, a copy by computer is sent to terminals "CVCS" and "OPS2" (Street Corner Unit).
 - 8) Copy of any offense involving known or suspected gang members, or when the word "gang" appears on an offense report sent to the Intelligence Section.
 - 9) Copy of any report of an incident occurring on City park property sent to the Park Unit.
 - 10) A copy of any offense report involving a current University of Cincinnati student faxed to (513) 556-4940 or Xavier University student faxed to (513) 745-3861.
- b. Reports pertaining to homicides, deaths, etc.
- 1) Original to Records Section after coding and computer entry.
 - 2) Copy for district files.
 - 3) Copy to CIS by interdepartmental mail.
 - 4) Copy to affected district from the Traffic Unit via interdepartmental mail if the offense is an aggravated vehicular homicide or vehicular homicide.
 - 5) Copy to Central Vice Control Section of any offense occurring on a liquor permit premise via computer terminal and interdepartmental mail.

- c. Offense reports pertaining to vehicle thefts, recoveries, etc.
 - 1) Original to Records Section after coding and computer entry.
 - 2) Copy for district files.
 - 3) Copy to CIS via computer terminal and interdepartmental mail.
 - 4) Copy of auto recovery or recovered license plates to the district where the theft occurred.
- d. Form 304, Missing Report
 - 1) Original to Records Section after coding and computer entry.
 - 2) Copy for district files.
 - 3) Copy to the Personal Crimes Unit (PCU) via computer terminal and interdepartmental mail.
 - a) After 30 days, PCU will forward a copy of missing persons who have not been located to the Hamilton County Coroner's Office.
- e. Form 313, Firearm Report
 - 1) File the white and canary copy at the reporting unit.
 - 2) Attach remaining copies to the firearm.
 - 3) CIS will retrieve the pink copy from Court Property Unit.
- f. Form 316, Minor Accident/Aided Case/Mental Health Response Report
 - 1) Original and one copy for district files.
 - 2) Copy of all animal bites to the City Health Department.
- g. Form 316A, Deceased Person Report
 - 1) Original and one copy for district files.
 - 2) Copy of found dead and suicides to CIS.
 - 3) Copy of unidentified found dead/suicides to PCU.
- h. Form 301 when used for incidents
 - 1) Original and one copy for district files.

- i. Form 317, General Conditions Report
 - 1) Original and one copy for district files.
 - 2) Prepare a Form 317 for property damage incidents in which no criminal intent is evident.
 - a) Prepare a Form 317 indicating all pertinent facts of the incident if the property is damaged due to police action.
- j. Form 558, Financial Crimes Complaint
 - 1) Retain the Form 558 in the district files. The district collator will assign an eight digit tracking number that will contain the district of offense, incident number for that district, and the year of the offense, e.g.; 03-0001-05.
 - 2) The district collator will send a control copy to the Financial Crimes Squad.

H. Reporting and Follow-up Investigation: Assignment and Responsibility

INVESTIGATION ASSIGNMENT LEGEND

Patrol Bureau Traffic Unit (PBT)

Patrol Bureau Shifts (PBS)

Patrol Bureau Civilian Clothes (PBC)

Criminal Investigation Section (CIS)

1. Assign offense reports having the necessary case assignment criteria for follow-up investigation and closure by designated units.
 - a. An offense report listing two or more offenses will be assigned for investigation based on the highest degree offense against a person. If there is a significant change in time, location, or events during the incident the offenses may be assigned separately.
 - b. Assign incident reports involving High Profile Criminal Investigations to CIS, regardless of the offense or potential offense.
2. Prepare a Form 301 for the following offenses and attempted offenses:

2903.01	Aggravated Murder/Attempt Aggravated Murder	(CIS)
2903.02	Murder/Attempt Murder	(CIS)

2903.03 Voluntary Manslaughter (CIS)

2903.04 Involuntary Manslaughter (CIS)

2903.041 Reckless Homicide (CIS)

2903.05 Negligent Homicide (CIS)

2919.13 Abortion Manslaughter (CIS)

NOTE: Refer to Procedure 12.615, Deceased Persons/Prisoners, when preparing a Form 301 for the above offenses.

2903.06 Aggravated Vehicular Homicide/Vehicular Homicide (PBT)

2903.06A Vehicular Death (PBT)

NOTE: When a person kills only himself by means of a motor vehicle, motorcycle, snowmobile, locomotive, watercraft, or aircraft, list the term "Vehicular Death" on the Incident Report. For reporting purposes, use ORC Section 2903.06A.

Prepare a Form 301 for all deaths occurring as a result of traffic crashes.

2903.08 Aggravated Vehicular Assault/Vehicular Assault (PBT)

NOTE: Refer to Procedure 12.230, Fatal Crash Investigation and Placement of Related Charges, when using 2903.06, 2903.06A, and 2903.08.

2903.11 Felonious Assault (PBC)

If victim is hospitalized and death appears imminent (CIS)

2903.12 Aggravated Assault (PBC)

If victim is hospitalized and death appears imminent (CIS)

2903.13 Assault (PBS)

If suspect is out of town or unusual circumstances exist (PBC)

NOTE: Refer to Procedure 12.415, Reporting and Classifying Assault Offenses, for completing an assault report on a law enforcement officer.

2903.14 Negligent Assault (PBS)

2903.16 Failing to Provide for Functionally Impaired (PBC)

2903.211 Menacing By Stalking (PBC)

2903.22	Menacing	(PBS)
2903.21	Hazing	(PBC)
2903.34PA	Patient Abuse (felony)	(CIS)
2903.34PN	Patient Neglect (misdemeanor)	(PBC)
2903.34GPN	Gross Patient Neglect (misdemeanor)	(PBC)
2903.341	Patient Endangerment (misdemeanor)	(PBC)
2903.341	Patient Endangerment (felony)	(CIS)
2905.01	Kidnapping	(CIS)
2905.02	Abduction (all cases)	(PBC)
2905.03	Unlawful Restraint	(PBC)
2905.04	Child Stealing	(CIS)
2905.05	Criminal Child Enticement	(CIS)
2905.11	Extortion	(CIS)
2905.12	Coercion	(CIS)
2907.02	Rape	(CIS)
2907.03	Sexual Battery	(CIS)
2907.04	Unlawful Sexual Conduct w/Minor	(CIS)
2907.05	Gross Sexual Imposition	
	Age 18 years and older	(PBC)
	Age 17 years and younger	(CIS)
2907.06	Sexual Imposition	
	Age 18 years and older	(PBC)
	Age 17 years and younger	(CIS)
2907.07	Importuning	(PBC)
2907.08	Voyeurism	(PBC)
2907.09	Public Indecency	(PBC)
2909.04	Disrupting Public Service	(PBC)
2909.05	Vandalism	(PBC)
2909.06	Criminal Damaging or Endangering	(PBS)

2909.07	Criminal Mischief	(PBS)
2909.07	Endangering Aircraft or Airport Operations	(PBC)
2911.01	Aggravated Robbery	
	All cases except financial institutions	(PBC)
	Aggravated Robbery of financial institutions	(CIS)
2911.02	Robbery	
	All cases except financial institutions	(PBC)
	Robbery of financial institutions	(CIS)
2911.11	Aggravated Burglary	(PBC)
2911.12	Burglary	(PBC)
2911.13	Breaking and Entering	(PBC)
NOTE:	When a robbery or burglary offense involves a controlled substance, refer to Section B.8.	
2911.211	Aggravated Trespass	(PBC)
2911.31	Safecracking	(PBC)
2911.32	Tampering with Coin Machines	(PBC)
2913.02G	Theft, Grand	(PBS)
	If unusual circumstances	(PBC)
2913.02P	Theft, Petty	(PBS)
	If unusual circumstances	(PBC)
License Plate Validation Stickers		(PBC)
a.	The word "Grand" or "Petty" will precede the word "Theft" on theft offenses. Record the type of theft in "Larceny Type" block.	
2913.04	Unauthorized Use of Property	(PBC)
2913.05	Telecommunications Fraud	(PBC)
2913.11	Passing Bad Checks	
2913.31	Forgery	
2913.32	Criminal Simulation	
2913.21	Misuse of Credit Card	
2913.49	Identity Theft	
a.	Officers are required to complete a Form 558 for the above listed offenses (2913.11, 2913.31, 2913.32, 2913.21, 2913.49).	

- 1) Amount of loss is \$2500.00 or less (PBC)
 - 2) Amount of loss is greater than \$2500.00 (CIS)
- b. When completing a report for Identity Theft:
- 1) Supply the victim with the phone number to the Financial Crimes Squad, (513) 352-3545.
 - 2) Fax a copy of the Form 301 to the Major Offenders Unit at (513) 352-6924.
 - 3) Mail the original Form 301 to the Financial Crimes Squad if the amount of the theft is over \$2500.
 - 4) Mail a copy of the Form 301 to the Financial Crimes Squad if the amount of the theft is \$2500 or less.

2913.33 Making or Using Slugs (PBC)

2913.41 Defrauding a Livery or Hostelry (Non-Vehicular) (PBC)

- a. A breach of a rental agreement is a civil matter unless you can show criminal intent. Criminal intent can be inferred if the suspect provides a false name and address at the time of the rental or moves during the rental period without leaving a forwarding address.
- b. If criminal intent is established, an offense report should be made and a warrant referral issued. If no criminal intent can be established, the complainant should be advised to seek civil redress.

2913.41V Defrauding a Livery or Hostelry (Vehicular) (PBC)

- a. Prepare a Form 301 in those cases where the vehicle has been returned to the owner. Otherwise refer to Procedure 12.420, Reporting Vehicle Thefts and Related Offenses.

*****Report violations of the following statutes on a Form 301: 2913.02 (Theft), 2913.04 (Unauthorized Use of Property), and 2913.41 (Defrauding a Livery or Hostelry). If applicable, include all serial numbers, vehicle identification numbers, etc., on the items listed below for entry into NCIC stolen property files:

Sailboat
 Rowboat
 Pickup camper (out of truck)
 Jack lift
 Farm machinery not designed to carry the operator
 Riding lawn mowers with no serial number (riding lawn mowers with a serial number are reported on a Form 303)

NOTE: Refer to Procedure 12.420 for those articles to be reported on a Form 303.

- | | | |
|----------|---|-------|
| 2913.44 | Personating an Officer | (PBC) |
| 2917.21 | Telecommunications Harassment | (PBC) |
| 2917.31 | Inducing Panic | (PBC) |
| a. | Bomb Threats - Insert "Bomb Threat" in parentheses when an evacuation occurs. | |
| 2917.32 | Making False Alarms | (PBC) |
| a. | Bomb Threats - Insert "Bomb Threat" in parentheses when no evacuation occurs. | |
| b. | Prepare a Form 301 for any false fire alarms when an arrest is made or a suspect known. | |
| 1) | Complainant is the Cincinnati Fire Department. | |
| 2) | Complainant's address is 430 Central Avenue. | |
| 3) | Reporting person is the Fire Department officer in charge (OIC) at the scene. The OIC's address is the fire company where assigned. | |
| 4) | List how the alarm was given in the "Remarks" section: telephone, etc. | |
| 2919.13 | Abortion Manslaughter | (CIS) |
| 2919.22B | Endangering Children | (CIS) |
| 2919.23 | Interference with Custody | (CIS) |
| 2919.25 | Domestic Violence | (PBC) |
| 2919.27 | Violating Protection Order or Consent Agreement | (PBC) |
| 2921.02 | Bribery | (CIS) |
| 2921.03 | Intimidation
*Will be investigated by the investigator assigned the original offense or incident. | (*) |
| 2921.04 | Intimidation of Crime Victim or Witness
*Will be investigated by the investigator assigned the original offense or incident. | (*) |
| 2921.05 | Retaliation | (*) |

*Will be investigated by the investigator assigned the original offense or incident.

- 2921.51 Impersonating a Peace Officer or Private Policeman (CIS)
- 2923.161 Discharging a Firearm at Habitation or School (PBC)
- 2927.12AM Ethnic Intimidation/Aggravated Menacing (PBC)
- 2927.12M Ethnic Intimidation/Menacing (PBC)
- 2927.12CM Ethnic Intimidation/Criminal Mischief (PBC)
- 2927.12CD Ethnic Intimidation/Criminal Damaging (PBC)
- 2927.12TH Ethnic Intimidation/Telephone Harassment (PBC)
- 3. Prepare a Form 303 for the following offenses/instances:
 - 2913.02V Theft - Stolen Vehicles (PBC)
 - a. Investigated by civilian clothes personnel in the district where the theft occurred.
 - 2913.02VR Recovered Stolen Vehicle (PBC)
 - a. Investigated by personnel in the district where the theft occurred.
 - 2913.02L Theft - Stolen License Plate(s) (including expired plates) (PBC)
 - 2913.02LR Recovered Stolen License Plate(s) (PBC)
 - 2913.03V Unauthorized Use of a Vehicle (PBC)
 - 2913.03VR Unauthorized Use of a Vehicle Recovery (PBC)
 - 2913.41V Vehicular Defrauding of a Livery or Hostelry (PBC)
 - 2913.41VR Vehicular Defrauding of a Livery or Hostelry Recovery (PBC)
- NOTE: The district collator will enter a monetary value for stolen and recovered vehicles on the report. The value of a vehicle is determined by using the following Internet sites: <http://www.kbb.com/>, the Kelly Blue Book home page, or <http://www.nadaguides.com/>, the NADA guidebook home page. To ensure the recovery value is consistent with the reported value, the recovery district collator must contact the district collator where the larceny occurred.
- 4. Offenses investigated at the district level will be processed as outlined on the attached Incident Report Flow Chart.

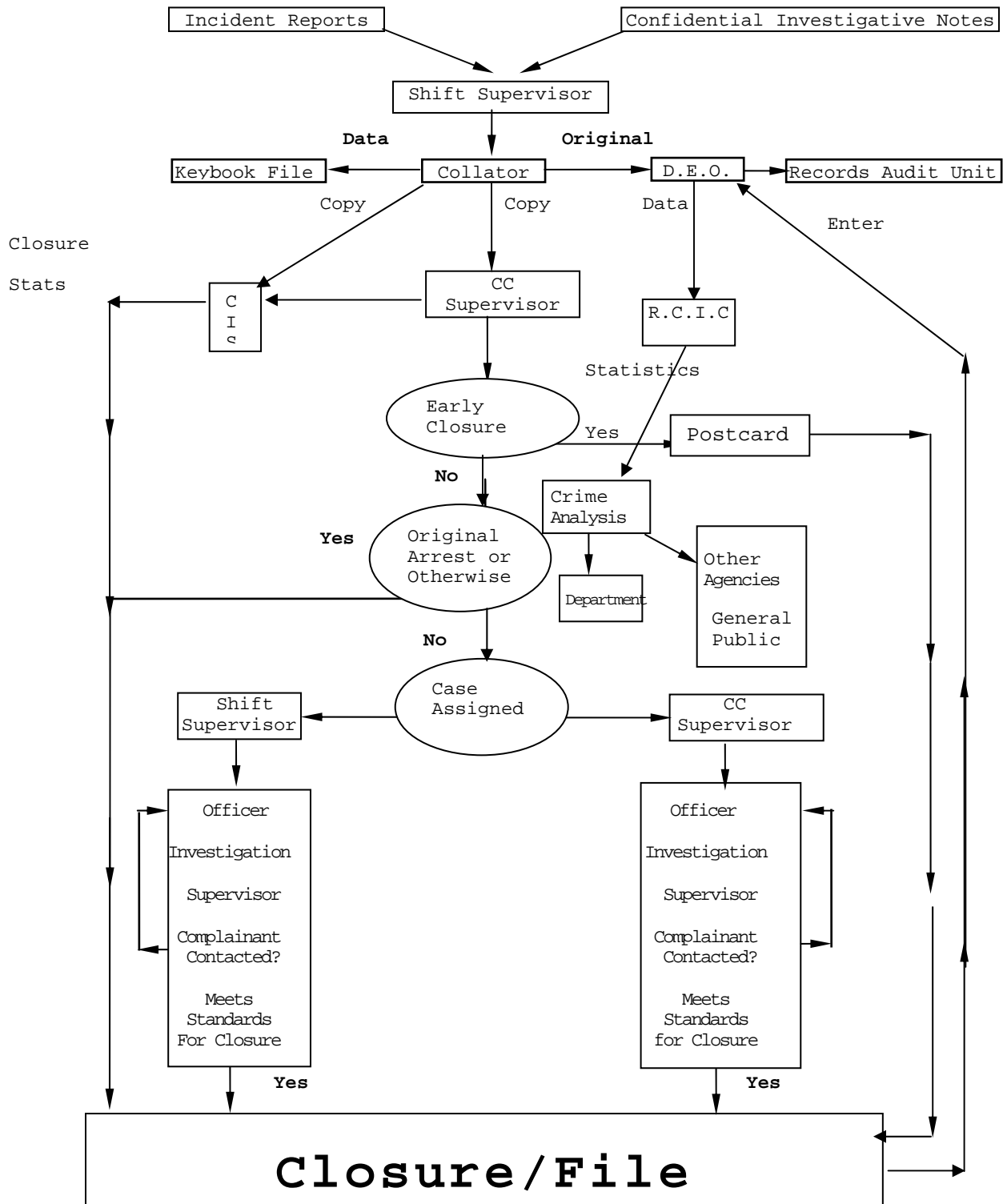
I. Case Closure Audit

1. On a monthly basis, the district commander will ensure a random audit of cases closed by both investigative and uniformed personnel is conducted. Early closures will not be included in this audit.
 - a. This audit will include:
 - 1) A ten percent sample of inactive closures.
 - 2) A ten percent sample of otherwise closures.
 - 3) A ten percent sample of unfounded closures.
 - b. A district supervisor not assigned to the Investigative Unit will conduct this audit.
 - 1) The auditing supervisor will personally contact the complainant to ensure the report was properly closed and that the investigating officer properly notified them of the closure.
 - c. The district commander will ensure a monthly summary of the case closure audit is forwarded to him for review.
 - d. District commanders will ensure quarterly reports are biannually compiled and forwarded to the Patrol Bureau Commander (first and second quarter submitted during July, third and fourth quarter submitted during January).

J. Investigation Requests from Other Law Enforcement Agencies

1. CIS will monitor and control investigative requests from law enforcement agencies outside the Cincinnati Police Department.
 - a. Document and forward all extensive investigative requests received from outside law enforcement agencies to CIS.
 - 1) CIS will assign the request within the Police Department.
 - 2) The district, section, or unit receiving the request will conduct the follow-up investigation, provide the requested assistance, if possible, and contact the outside agency advising them of the investigative results.
 - 3) Forward a Form 311, Incident Closure Report, to the CIS Commander. The Form 311 will contain the case disposition and state the outside agency has been contacted and advised.
 - a) Affected districts will handle routine requests for assistance from adjoining police agencies.

INCIDENT REPORT FLOW CHART





U.S. Department of Justice
National Drug Intelligence Center

Fentanyl: Situation Report
SR-000001
DATE: June 5, 2006

Overview – Clandestinely produced fentanyl has been linked to hundreds of fatal and nonfatal overdoses across the Midwest, Northeast, and Mid-Atlantic Regions of the United States since late 2005. Fentanyl is a synthetic opiate approximately 50 times more potent than heroin. From 1990 through 2005 at least nine clandestine fentanyl laboratories were seized in the United States; however, sensitive intelligence related to ongoing law enforcement operations indicates that Mexico likely is the source of at least some of the fentanyl associated with these recent overdoses. In May 2006 Mexican law enforcement authorities seized a fentanyl laboratory in Toluca, Mexico. In February 2006 U.S. Customs and Border Protection (CBP) agents seized a wholesale shipment of fentanyl powder just north of the U.S.–Mexico border.

Availability – Clandestinely produced fentanyl powder, fentanyl mixed with heroin, and, to a lesser extent, fentanyl mixed with cocaine have been distributed in the Midwest, Northeast, and Mid-Atlantic Regions. The primary markets have included Chicago (IL), Detroit (MI), and Philadelphia (PA)/Camden (NJ). Overdoses linked to fentanyl have been reported in areas of Delaware, Illinois, Maryland, Michigan, New Jersey, New York, Ohio, Pennsylvania, and Wisconsin. In many cases abusers had purchased the drugs in the primary market areas and transported them elsewhere. Because specialized forensic laboratory testing is required to detect clandestinely produced fentanyl versus pharmaceutical fentanyl, the extent of availability and source of the fentanyl has not yet been conclusively determined.

Abuse – Fentanyl has been sold to drug abusers, primarily heroin abusers, in drug markets in each of the aforementioned areas, and abusers typically reflect the population demographics of those areas. Currently, there are an estimated 800,000 to 1,000,000 hard-core and casual heroin abusers in the United States who constitute the potential fentanyl market. An intravenous dose of fentanyl hydrochloride for pain relief is approximately 45 micrograms (a grain of salt is approximately 60 micrograms); however, depending on the weight of the abuser and his or her level of opiate tolerance, an abuser may tolerate a higher or lower dose. Accordingly, a small error in diluting, or cutting, fentanyl can easily lead to an overdose.

Because fentanyl is an opiate and specialized toxicological testing is required to detect fentanyl in biological samples, many fentanyl overdoses were initially classified as heroin overdoses. The severity of the situation did not become apparent until the public health community noticed the above-average number of overdoses. The Centers for Disease Control and Prevention (CDC) is currently examining the number of fatalities that may have been directly related to clandestinely produced fentanyl.

Production – Intelligence indicates that Mexico is the most likely source of at least some of the fentanyl associated with the recent overdoses in the United States. On May 21, 2006, Mexican Federal Investigative Agency (AFI) agents and officials from the Mexican Attorney General's Office Organized Crime Division (PGR/SIEDO) seized a fentanyl laboratory in Toluca, Mexico, and arrested the laboratory operator and four associates. However, at least nine clandestine fentanyl laboratories were seized in the United States—seven of which were in California—from 1990 through 2005. Continued fentanyl production in the United States cannot be ruled out.

- November 22, 2005—Azusa, California
- June 15, 2005—San Diego, California
- May 4, 2004—Santa Clara, California
- December 17, 2003—Newton Square, Pennsylvania
- December 4, 2000—Big Bear, California
- February 3, 1993—Goddard, Kansas
- December 31, 1991—Fallbrook, California
- August 15, 1990—San Jose, California
- April 14, 1990—Bonita, California

The two methods most commonly used to produce fentanyl rely upon one of the two precursor chemicals—N-benzyl-4-piperidone or N-phenethyl-4-piperidone (NPP). NPP is used in the most common clandestine method. Dozens of scientific companies supply NPP legitimately. The Drug Enforcement Administration (DEA) is investigating the control of NPP. However, fentanyl producers can potentially manufacture the precursors or obtain them illicitly.

Transportation – On February 27, 2006, CBP agents seized 2.6 pounds of 83-percent-pure fentanyl and 41 pounds of ice methamphetamine at a checkpoint along U.S. Highway 86 near Westmoreland, California, just north of the U.S.–Mexico border. The drugs were concealed beneath the floorboards in a passenger vehicle with Mexico license plates.

Distribution – Fentanyl investigations are ongoing in all of the areas in which the overdoses have been occurring. Although limited, some information has been revealed regarding the distributors.

- In the Philadelphia/Camden area, the distributors are Dominican and Puerto Rican criminals.
- In May 2006, officers arrested a reputed member of the Latin Kings street gang in his Camden, New Jersey, home with over 1,300 bags of fentanyl-laced heroin and \$5,200.
- The first week of May 2006, the Federal Bureau of Investigation (FBI) and the Philadelphia police arrested eight Hispanic drug distributors and seized 25,000 bags of fentanyl-tainted heroin in Philadelphia, Pennsylvania.
- In the Chicago area, the distributors were reported to be West African, Mexican, or Colombian criminals.

Outlook – Some indicators point to decreased availability of clandestinely produced fentanyl in some of the primary market areas. For example, public health authorities in New Jersey are reporting an increase in methadone overdoses among heroin abusers; the heroin abusers report they are unable to obtain a sufficient supply of heroin and have begun abusing methadone. Additionally, the number of opiate overdoses had decreased in Wayne County (Detroit), Michigan, the last week of May/first week of June. Only three suspected opiate overdose deaths were reported from May 29 through June 2, 2006; earlier in May, more than four deaths per day occurred in Wayne County. Moreover, public health authorities in Maryland and Delaware reported no new fentanyl-related events the last week of May. However, during the first weekend of June 2006, approximately 20 suspicious heroin overdoses were reported in Pittsburgh (PA); testing has yet to conclusively link these overdoses to fentanyl. NDIC continues to monitor law enforcement and public health indicators for further developments in the fentanyl situation.

NORTHWESTERN UNIVERSITY CENTER FOR PUBLIC SAFETY

School of Police Staff and Command

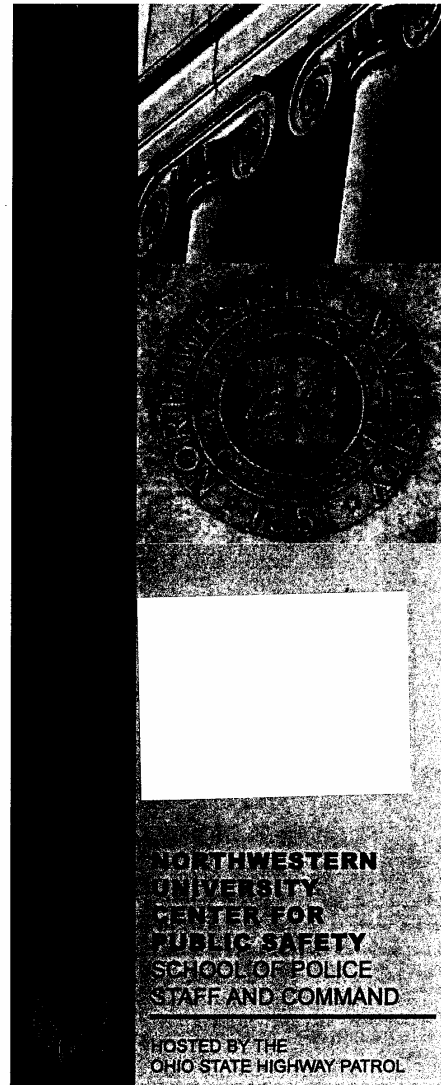
Community Oriented Policing in its truest form is a historic change in how this country polices itself. As such, its implementation is fraught with unprecedented challenges for today's police manager. Beyond the simple mechanics of planning, implementing, and managing a programmatic initiative, Community Policing implementation requires police executives to reevaluate and change some of the traditional and heretofore fundamental methods of managing their organizations.

It is critical that managers understand the essence and importance of effective leadership, management, and decision-making, and how these skills relate specifically to the implementation and institutionalization of the Community Policing philosophy.

The Northwestern University Center for Public Safety's School of Police Staff and Command enables personnel with supervisory, staff, or command responsibilities to acquire the knowledge and skills necessary for meeting this objective within their respective agencies.

For more information, consult the Northwestern University Center for Public Safety's website: <http://server.traffic.northwestern.edu/start.asp>

Or contact Tanya Benner at the Ohio State Highway Patrol Office of Human Resource Management at 614-752-4152 or 614-644-5018.



The Northwestern University Center for Public Safety School of Police Staff and Command (SPSC) is a dynamic 10-week police management program designed for today's progressive police managers and their agencies. The SPSC provides students with the knowledge and skills necessary for assuming increased responsibilities in administrative staff or line command positions.

From the time it was launched in 1983, the SPSC has received enthusiastic response from executives and trainers throughout the country. A review of the course curriculum verifies the completeness and appropriateness of this training opportunity for organizational and personal development.

STUDENT REQUIREMENTS

The SPSC is a university-based education program intended for mid- and upper-level supervisory personnel. It is expected that SPSC students will:

- Have at least two years of supervisory experience, and
- Be prepared to complete upper-division (i.e., junior and senior level) university course work.

Upper division university course work presumes that a student has the following skills:

- Can write two staff papers;
- Can perform arithmetic operations and understand elementary algebraic notation;
- Can read, comprehend, and retain assigned materials based on textbooks, professional journals, trade magazines, and other sources; and
- Can schedule time to complete out-of-class reading and writing assignments.

To ensure that SPSC students have sufficient time to attend class and complete out-of-class assignments, students should be released from their normal job responsibilities.

ADDITIONAL INFORMATION

Schedule Format

The 2007 SPSC will be held at the Ohio State Highway Patrol Training Academy, 740 East 17th Avenue in Columbus, Ohio, for five weeks on, two weeks off, and five weeks on. The dates for the course are January 2 – February 2, 2007 and February 19 – March 23, 2007.

Credit Hours

Students successfully completing the program will receive 21 undergraduate semester hours from Northwestern University.

Program Tuition

\$995.00 (subject to Controlling Board approval and CJS grant award).

Room and Board

Room and board will be provided at the Academy at no cost. Students may also commute to the training if desired. Those students choosing not to stay at the Academy will be responsible for securing suitable lodging and meals. Assistance will be provided in securing lodging (hotel), if desired.

SPSC CURRICULUM

(Asterisked subjects are core topics presented in every SPSC program)

Understanding Management

- Management principles *
- Interpersonal and organizational communication *
- Transformational leadership *
- Managing organizational change
- Organizational behavior*

Law Enforcement

- Police ethics *
- Police standards and professionalization *
- Police traffic management and analysis *
- Legal issues in traffic enforcement *
- Criminal law and procedure update
- Information resources*
- Managing criminal investigations
- Community Oriented Policing
- Managing media relations
- Police executive panel *
- Current topics in law enforcement management
- Management and its environment

Human Resource Administration

- Selection and promotion: technical aspects *
- Selection and promotion: legal aspects *
- Performance appraisal *
- Labor/management relations *
- Legal aspects of discipline*
- Improving performance through training
- Managing the problem employee*
- Managing discipline
- Civil liability

Skills for Planning and Analysis

- Staff research *
- Problem solving and decision analysis *
- Project management *
- Police resource allocation*
- Police work scheduling *
- Selection and use of computer systems*
- Budget preparation and management*
- Planning and policy development*
- Staff research paper presentations

SPSC REGISTRATION FORM

Jan. 2 – Feb. 2 and Feb. 19 – March 23, 2007

NAME
RANK
POSITION

AGENCY	
ADDRESS	
CITY, STATE	ZIP
PHONE	
EXECUTIVE OFFICER	
OFFICER'S E-MAIL ADDRESS	

Applicant satisfies all the requirements described in the attached description of student requirements:

YES _____ NO _____

Return registration form by Sept. 8, 2006 to:

Tanya Benner
Ohio State Highway Patrol
PO Box 182074
Columbus, OH 43218-2074
Fax: 614-752-9842
Email: tbenner@dps.state.oh.us

Applicants will be notified of selection by Nov. 17, 2006.

Will candidate need lodging at the OSHP Academy?

YES _____ NO _____



Captain Jones;

I wanted to give you some positive feedback regarding an incident that occurred near my residence on Orchard Street. I have a new neighbor that moved into the apartment behind me who was trying to help a family friend with some drug and alcohol issues. During the night one night, my neighbor's guest stole his car keys and took his new car. Once he awoke and realized she was gone and so was his vehicle, he called 911 to report the car stolen. Within 3 minutes of his call, there were 3 bicycle cops taking his information. Within 2-3 hours one of the officers returned to Orchard Street with the vehicle. Apparently his "family friend" was renting the vehicle out for money and drugs.

In any event, the officers involved were extremely helpful and professional. My neighbor has just moved here from Detroit and is impressed with our local law enforcement.

The officers were:

C. Zopft P677

A. Triggs P404

W. Ross P729

Please let them know how much I appreciate their hard work and dedication in making OTR a safe place to work, live and play.

Thanks!

Brian L. Tiffany

President

Over-the-Rhine Chamber of Commerce

METRO MANAGEMENT, INC.
35 EAST SEVENTH STREET, Suite 711
CINCINNATI, OHIO 45202
Telephone 513.621.3685
Fax 513.621.4845

August 24, 2006

Colonel Thomas H. Streicher, Jr.
City of Cincinnati Police Chief
310 Ezzard Charles Drive
Cincinnati, Ohio 45214

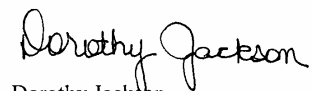
Dear Chief Streicher,

On August 2, 2006 I hand delivered a letter to Captain Schmalz, District 4 Commander. In this letter I requested his assistance in cleaning up several troubled properties managed by Metro Management. District 4 rose to the challenge, assisted by Lt. Brown the Commander of the Violent Crimes Unit, and the StreetCorner Unit.

I would like to express my gratitude and deepest appreciation for the assistance I have received at 705-711 Ridgeway, 1126 Chapel, and 3639 Reading Road. I would especially like to point out the outstanding police work by Officer Adrian Mitchell (Badge #499) who has relentlessly addressed the problems I have been confronted with at 705-711 Ridgeway. Thanks to the hard work of Officer Mitchell I can appreciate the work of the entire police department.

I would like to commend the Cincinnati Police Department for the assistance I have received and continue to receive in our mutual attempt to create safe neighborhoods where families can feel safe living. I look forward to a long and prosperous relationship.

Sincerely,



Dorothy Jackson
Occupancy Director